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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 DENISE S.,

10 Plaintiff,

11 v.

12 COMMISSIONER OF SOCIAL SECURITY,

13 Defendant.

Case No. C18-1101-JPD

ORDER GRANTING THE  
COMMISSIONER'S MOTION TO  
DISMISS


14 This matter comes before the Court on the Commissioner's motion to dismiss for lack  
15 of subject-matter jurisdiction. Dkt. 14. Specifically, the Commissioner asserts that plaintiff  
16 failed to timely initiate this action challenging the Commissioner's denial of her claim for  
17 disability benefits under Titles II and XVI of the Social Security Act. *Id.* Plaintiff failed to  
18 respond to the Commissioner's motion to dismiss.

19 The Commissioner has submitted evidence indicating that plaintiff's complaint was  
20 untimely. Dkt. 14-1. Specifically, plaintiff initiated this action twenty-six days after the  
21 deadline for filing a complaint. In addition, plaintiff has not alleged or demonstrated any good  
22 cause to obtain an extension for review, and plaintiff failed to oppose the Commissioner's  
23 motion. Accordingly, the Court ORDERS that the Commissioner's motion to dismiss this

1 action with prejudice, Dkt. 14, is GRANTED.

2 The Clerk is directed to send a copy of this Order to plaintiff and counsel for  
3 defendant.

4 DATED this 13th day of November, 2018.

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7 JAMES P. DONOHUE  
8 United States Magistrate Judge  
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